



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
INSPECTOR GENERAL

March 13, 2015

FINAL SUMMARY MEMORANDUM REPORT

SUBJECT: [REDACTED],
Office of the Administrator
Case Number: OI-HQ-2014-ADM-0082

FROM: Patrick F. Sullivan
Assistant Inspector General for Investigations
Environmental Protection Agency
Office of Inspector General

TO: Nanci Gelb
Acting Assistant Administrator
Environmental Protection Agency
Office of Administration and Resources Management

This final summary memorandum report sets forth the Environmental Protection Agency (EPA) Office of Inspector General (OIG) investigative finding for your review concerning the above-referenced case. As you know, my office coordinated with the Labor and Employee Relations (LER) Division and previously provided LER investigative materials identified in Attachment 1. The information was provided in response to LER's request, even though the investigation was ongoing, so that the information could be included in EPA's review and determination of whether administrative action is warranted in this matter. This memorandum report is the final report to be transmitted from the OIG to the agency on this matter.

As background, on [REDACTED] 2014, the EPA OIG received a complaint alleging employee misconduct involving [REDACTED]. Specifically, on [REDACTED], 2014, [REDACTED] was allegedly witnessed viewing pornography on his government laptop during core work hours by [REDACTED] who was in the building for the EPA's "[REDACTED]." We immediately initiated an investigation into the violation of misuse of government time and resources.

Subsequent to the case initiation, on [REDACTED] 2014, [REDACTED] was interviewed by special agents. During the interview and documented in his sworn statement, [REDACTED] stated that he viewed pornography at work between one (1) and four (4) hours per day. In addition, [REDACTED] stated that approximately thirty percent (30%) to forty percent (40%) of the data stored on his external electronic media devices contained pornography.

Sufficient evidence exists to support the finding that [REDACTED] misused government time and resources by viewing and organizing pornography on an EPA computer during scheduled working hours in violation of EPA policy.

On October 9, 2014, as part of the OIG's continuing coordination with the LER, special agents provided LER, with several forensic reports related to the [REDACTED] investigation. Subsequently, OIG provided LER with a copy of [REDACTED] sworn statement, and the un redacted memorandum of interview. (Attachment 1)

As an update on the criminal disposition of this case, on February 23, 2015, the United States Attorney's Office for the District of Columbia declined federal prosecution of [REDACTED] and therefore, this is now solely an administrative matter.

My office is taking no further investigatory action in this matter. This final summary memorandum report is provided "For Official Use Only" and its disclosure to unauthorized individuals is prohibited. Portions of this memorandum report may be used by appropriate Agency officials for administrative action in conjunction with the other materials previously provided by my office. Please return this memorandum report after your review of this matter is completed.

In order that we may satisfy our reporting requirement to Congress and the Administrator, please advise my office within 30 days of administrative action(s) taken or proposed by you in this matter, if any.

If you have any questions or concerns, please don't hesitate to contact me at 202-566-0308.

ATTACHMENT

1. Memorandum of Activity – Includes list of information EPA OIG provided to LER from October 9, 2014 to February 9, 2015.